

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2020-229-E ORDER NO. 2020-107-H**

**NOVEMBER 9, 2020**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Dominion Energy South Carolina, Incorporated's Establishment of a Solar Choice Metering Tariff Pursuant to S.C. Code Ann. Section 58-40-20**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of Vote Solar**

**CHIEF HEARING OFFICER'S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of Vote Solar. The Petition is timely filed, and no objections to the intervention have been filed.**

**After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that a party making a Petition to Intervene in a matter pending before the SC Public Service Commission must:**

**set forth clearly and concisely:**

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

**Objections to a Petition to Intervene shall be filed with the Commission within ten days of service of the Petition to Intervene. S.C. Code Ann. Regs. 103-825A(3) (2012) (emphasis added).**

**The position of the Petitioners in the proceeding must also be concisely and clearly stated; provided it is known. The Commission has historically allowed a petitioning party to intervene even if the party has not made a determination of its position in a docket/proceeding provided such intervention would not cause undue delay in the proceedings or prejudice the rights of other parties.**

**The Petitioner states that it has a substantial interest in the subject matter of this proceeding. Vote Solar participated in a stakeholder process led by the Office of Regulatory Staff to explore solutions to the then pending net metering cap. Vote Solar further states that it worked with stakeholders throughout the development of the Energy**

**Freedom Act (Act 62) on net metering issues and has a direct interest in fulfilling the implementation of the provisions of the Energy Freedom Act. Further, Vote Solar notes that it has extensive national experience on matters of distributed generation valuation and methodology, rate design, cost-benefit evaluations of distributed energy resources, and net metering policy. Vote Solar asserts that it expects to meaningfully contribute to the development of this proceeding and to provide evidence consistent with the requirements of the Energy Freedom Act. Further, the Petitioner states that no other party will adequately represent Vote Solar's unique interest.**

**From these facts, this Hearing Officer holds that Vote Solar has successfully satisfied the three criteria for intervention stated in the Regulation. Vote Solar's interest in this matter can clearly be discerned, as can the grounds for the intervention, and Vote Solar's position. Further, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of Vote Solar is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.**